

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

JAN 23 2019

Clerk, U S District Court
District Of Montana
Billings

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GEORGE GARCIA VILLA,

Defendant.

Cause No. CR 14-102-BLG-SPW

ORDER

On January 17, 2019, Defendant Villa moved the Court for a second time to reduce his sentence under 18 U.S.C. § 3582(c)(2) and Amendment 782 to the United States Sentencing Guidelines. He also discusses the recently-passed First Step Act. Villa is a federal prisoner proceeding pro se.


As the Court has already said, Villa is not entitled to a reduction under Amendment 782. He was sentenced on July 23, 2015, after the amendment became effective. His advisory guideline calculation incorporated the amendment. *See* Presentence Report ¶¶ 21-22; U.S.S.G. § 2D1.1(c)(3) (Nov. 1, 2014); Order (Doc. 135) at 1–2. He has already received all he is entitled to under Amendment 782.

Villa also refers to the First Step Act's provisions concerning good-time credit, supervised release, and prerelease placement. *See* Mot. (Doc. 156) at 1, 6–

8. These are matters for the Bureau of Prisons, not the sentencing court. *See* 18 U.S.C. §§ 3632(d)(4)(C), 3624(g)(3), *enacted by* FIRST STEP Act of 2018, Pub. L. No. 115-____,¹ S. 756, tit. I, §§ 101(a), 102(b)(1)(B) (Dec. 21, 2018) (authorizing “the Director of the Bureau of Prisons” to determine additional time credits and to transfer prisoners to prerelease custody or supervised release); *see also* FIRST STEP Act, Pub. L. No. 115-____, S. 756, tit. VI, § 602 (amending 18 U.S.C. § 3624(c)(2) to authorize “[t]he Bureau of Prisons” to place certain prisoners on home confinement).

Accordingly, IT IS ORDERED that Villa’s motion to reduce the sentence (Doc. 156) is DENIED.

DATED this 22nd day of January, 2019.


Susan P. Watters
United States District Judge

¹ The Office of the Federal Register at the National Archives and Records Administration has advised the Administrative Office of the United States Courts that public law numbers are not assigned during a federal government shutdown. *See also* National Archives and Records Administration Contingency Plan at 10, § 103.4(b)(3) (Jan. 14, 2019), *available at* <https://www.archives.gov/contingency-plan> (accessed Jan. 22, 2019).